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19 AERA ENERGY LLC

20 **UNITED STATES DISTRICT COURT**

21 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

22 **BAKERSFIELD DIVISION**

23 * * *

24 AARON DICKERSON, as an individual and on
25 behalf of all others similarly situated,

26 Plaintiff,

27 vs.

28 AERA ENERGY, LLC, a California limited
liability company; and DOES 1 through 50,
inclusive,

Defendants.

Case No. 1:21-CV-01384-JLT-BAK

[Removed from Case No. BCV-21-
101646]

**JOINT STIPULATION TO REMAND
ACTION TO STATE COURT;
[PROPOSED] ORDER**

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

This stipulation is made between Plaintiff Aaron Dickerson (“Plaintiff”) and Defendant Aera Energy, LLC (“Defendant”) (collectively, the “Parties”), through their undersigned attorneys of record, and pursuant to Civil Local Rule 143.

1. WHEREAS, Plaintiff filed his civil claims against Defendant in Kern County Superior Court on July 20, 2021;

2. WHEREAS, Plaintiff filed a First Amended Complaint in Kern County Superior Court on August 13, 2021;

3. WHEREAS, Plaintiff filed a Second Amended Complaint in Kern County Superior Court on September 13, 2021;

4. WHEREAS, Defendant removed the Action to United States District Court, Eastern District of California – Bakersfield Division on September 16, 2021;

5. WHEREAS, the Parties participated in an initial mediation session under the supervision of mediator Scott Markus, Esq. on March 17, 2022, and a second mediation session with Mr. Markus on July 1, 2022;

6. WHEREAS, during the course of the mediation sessions, the Parties discussed at length the propriety of Defendant’s removal of the case;

7. WHEREAS, in the days following the second mediation session, the Parties continued their settlement negotiations through Mr. Markus and reached a settlement of all claims in this Action, have executed a Memorandum of Understanding encompassing the main provisions of the settlement and are in the process of drafting a long-form settlement agreement;

NOW THEREFORE, it is hereby stipulated and agreed by and between the Parties to the above-entitled Action through their respective attorneys of record that:

1. Pursuant to the Memorandum of Understanding between the Parties and this Stipulation, the Parties stipulate that the Court should remand this Action to state court for the purposes of settlement only; and

2. In the event the settlement does not become final for any reason, this Stipulation will be void *ab initio* and the Parties will have the right to further contest whether removal and/or remand of this Action is appropriate.

DATED: September 6, 2022 Respectfully Submitted,

SUTTON HAGUE LAW CORPORATION, P.C.

By: /s/ - Jared Hague.
S. BRETT SUTTON
JARED HAGUE
Attorneys for Plaintiff
AARON DICKERSON

DATED: September 6, 2022 Respectfully Submitted,

MITCHELL SILBERBERG & KNUPP, LLC.

By: /s/ - Jeremy Mittman
ADAM LEVIN
JEREMY MITTMAN
GABRIEL HEMPHILL
Attorneys for Defendant
AERA ENERGY, LLC

[PROPOSED] ORDER

Pursuant to the joint stipulation to remand the above-captioned action to state court, and for good cause shown, the above-captioned action is remanded to the Superior Court of the State of California for the County of Kern as *Aaron Dickerson v. Aera Energy, LLC*, Case No. BCV-21-101646, in light of the Parties' agreement to settle this action.

In the event the settlement does not become final for any reason, this stipulation and order will be void *ab initio* and Defendant will have the right to further contest whether removal and/or remand of this action is appropriate.

IT IS SO ORDERED.

Dated: **September 13, 2022**


UNITED STATES DISTRICT JUDGE